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HOUSE BILL 453

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Thomas E. Swisstack

AN ACT

RELATING TO ANIMALS; ENACTING THE ANIMAL SHELTERING SERVICES ACT; CREATING LICENSING PROCEDURES FOR EUTHANASIA PROVIDERS AND EUTHANASIA AGENCIES; CREATING CERTIFICATION PROCEDURES FOR EUTHANASIA INSTRUCTORS; PROMOTING SAFE AND HUMANE CONDITIONS FOR ANIMALS IN ANIMAL SHELTERS; CREATING A FUND; CREATING A BOARD; PROVIDING BOARD POWERS AND DUTIES; PROVIDING FOR EXEMPTIONS; PROVIDING PENALTIES; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the "Animal Sheltering Services Act".

Section 2. DEFINITIONS.--As used in the Animal Sheltering Services Act:

A. "animal" means any animal, except humans, not defined as "livestock" in Subsection L of this section;

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1 B. "animal shelter":

2 (1) means:

3 (a) a county or municipal facility that  
4 provides shelter to animals on a regular basis, including a dog  
5 pound; and

6 (b) a private humane society or a  
7 private animal shelter that temporarily houses stray, unwanted  
8 or injured animals through administrative or contractual  
9 arrangements with a local government agency; and

10 (2) does not include a municipal zoological  
11 park;

12 C. "board" means the animal sheltering services  
13 board;

14 D. "department" means the regulation and licensing  
15 department;

16 E. "disposition" means adoption of an animal;  
17 return of an animal to the owner; release of an animal to a  
18 rescue organization; release of an animal to another animal  
19 shelter licensed pursuant to the Animal Sheltering Services Act  
20 or to a rehabilitator licensed by the department of game and  
21 fish or the United States fish and wildlife service; or  
22 euthanasia of an animal;

23 F. "emergency field euthanasia" means the process  
24 defined by rule of the board to cause the death of an animal in  
25 an emergency situation when safe and humane transport of the

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1 animal is not possible;

2 G. "euthanasia" means to produce a humane death of  
3 an animal by standards deemed acceptable by the board as set  
4 forth in its rules;

5 H. "euthanasia agency" means a facility that  
6 provides shelter to animals on a regular basis, including a dog  
7 pound, a humane society or a public or private shelter facility  
8 that temporarily houses stray, unwanted or injured animals, and  
9 that performs euthanasia;

10 I. "euthanasia drugs" means non-narcotic schedule  
11 II or schedule III substances and chemicals as set forth in the  
12 Controlled Substances Act that are used for the purposes of  
13 euthanasia and pre-euthanasia of animals;

14 J. "euthanasia instructor" means a euthanasia  
15 provider licensed and certified by the board to instruct other  
16 individuals in euthanasia techniques;

17 K. "euthanasia provider" means a person licensed by  
18 the board to euthanize animals for a euthanasia agency;

19 L. "livestock" means all domestic or domesticated  
20 animals that are used or raised on a farm or ranch and exotic  
21 animals in captivity and includes horses, asses, mules, cattle,  
22 sheep, goats, swine, bison, poultry, ostriches, emus, rheas,  
23 camelids and farmed cervidae but does not include canine or  
24 feline animals;

25 M. "rescue organization" means an organization that

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1 rescues animals and is not involved in the breeding of animals;

2 N. "supervising veterinarian" means a person who is  
3 a veterinarian, who holds both a valid New Mexico controlled  
4 substance license and a valid federal drug enforcement agency  
5 license and who approves the drug protocols and the procurement  
6 and administration of all pharmaceuticals; and

7 O. "veterinarian" means a person who is licensed as  
8 a doctor of veterinary medicine by the board of veterinary  
9 medicine pursuant to the Veterinary Practice Act.

10 Section 3. BOARD CREATED--MEMBERS--QUALIFICATIONS--  
11 TERMS--VACANCIES--REMOVAL.--

12 A. The "animal sheltering services board" is  
13 created. The board shall consist of nine members as follows:

14 (1) one euthanasia agency employee with  
15 training and education in euthanasia;

16 (2) one licensed veterinarian who has provided  
17 paid or unpaid services to an animal shelter;

18 (3) one representative from a nonprofit animal  
19 advocacy group;

20 (4) one member of the public;

21 (5) a manager or director of a New Mexico  
22 facility that provides shelter to animals on a regular basis,  
23 provided that the manager or director selected is trained in  
24 animal shelter standards;

25 (6) one representative of the New Mexico

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1 association of counties;

2 (7) one representative of the New Mexico  
3 municipal league;

4 (8) one member of a rescue organization; and

5 (9) one member of the domestic pet breeder  
6 community.

7 B. No more than two board members shall be  
8 appointed from any one county within the state. Appointments  
9 shall be made in such manner that the terms of no more than two  
10 board members expire on July 1 of each year.

11 C. The board is administratively attached to the  
12 department.

13 D. The board and its operations are governed by the  
14 Uniform Licensing Act. If the provisions of the Uniform  
15 Licensing Act conflict with the provisions of the Animal  
16 Sheltering Services Act, the provisions of the Animal  
17 Sheltering Services Act shall prevail.

18 E. The governor shall appoint board members for  
19 terms of four years, except in the first year of the enactment  
20 of the Animal Sheltering Services Act, when board members shall  
21 be appointed for staggered terms. Of the first appointments,  
22 three board members shall be appointed for four-year terms, two  
23 board members shall be appointed for three-year terms, two  
24 board members shall be appointed for two-year terms and two  
25 board members shall be appointed for one-year terms.

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1 Subsequent appointments shall be made to fill vacancies created  
2 in unexpired terms, but only until the term ends or for a full  
3 four-year term when the term of a board member expires. Board  
4 members shall hold office until their successors are duly  
5 qualified and appointed. Vacancies shall be filled by  
6 appointment by the governor for the unexpired term within sixty  
7 days of the vacancy to maintain the required composition of the  
8 board.

9 F. Members of the board shall be reimbursed for per  
10 diem and mileage as provided in the Per Diem and Mileage Act  
11 and shall receive no other compensation, perquisite or  
12 allowance, but shall be permitted to attend at least one  
13 conference or seminar per year relevant to their board position  
14 as the board's budget will allow.

15 G. A simple majority of the appointed board members  
16 constitutes a quorum.

17 H. The board shall hold at least four regular  
18 meetings each year and may meet at such other times as it deems  
19 necessary.

20 I. A board member shall not serve more than two  
21 full or partial terms, consecutive or otherwise.

22 J. A board member failing to attend three duly  
23 noticed meetings, regular or special, within a twelve-month  
24 period, without an excuse acceptable to the board, may be  
25 removed as a board member.

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1           K. The board shall elect a chair and other officers  
2 as it deems necessary to administer its duties.

3           L. The department shall hire employees to execute  
4 the daily operations of the board. One employee shall be a  
5 veterinarian who holds both a valid New Mexico controlled  
6 substance license and a valid federal drug enforcement agency  
7 license, and who will be responsible for ordering, maintaining  
8 and dispensing euthanasia drugs as necessary in accordance with  
9 local, state and federal laws.

10           Section 4. FUND CREATED--ADMINISTRATION.--

11           A. The "animal care and facility fund" is created  
12 in the state treasury. All fees collected pursuant to the  
13 Animal Sheltering Services Act shall be deposited in the fund.

14           B. The animal care and facility fund shall consist  
15 of money collected by the board pursuant to the Animal  
16 Sheltering Services Act; income from investment of the fund;  
17 and money appropriated to the fund or accruing to it through  
18 fees or administrative penalties, cooperative research  
19 agreements, income, gifts, grants, donations, bequests, sales  
20 of promotional items, handbooks or educational materials or any  
21 other source. Money in the fund shall not be transferred to  
22 another fund or encumbered or expended except for expenditures  
23 authorized pursuant to the Animal Sheltering Services Act.

24           C. Money in the fund is subject to appropriation by  
25 the legislature to the department to be used to help animal

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1 shelters and communities defray the cost of implementing the  
2 board's initiatives conducted pursuant to the Animal Sheltering  
3 Services Act. The fund shall be administered by the department  
4 to carry out the purposes of the Animal Sheltering Services  
5 Act.

6 D. A disbursement from the fund shall be made only  
7 upon a warrant drawn by the secretary of finance and  
8 administration pursuant to a voucher signed by the  
9 superintendent of regulation and licensing or the  
10 superintendent's designee.

11 E. Unexpended and unencumbered balances in the fund  
12 at the end of a fiscal year shall not revert to the general  
13 fund.

14 Section 5. BOARD POWERS AND DUTIES.--The board shall:

15 A. provide board-recommended standards regarding  
16 the infrastructure for all animal shelters;

17 B. provide board-recommended operating standards  
18 for all animal shelters;

19 C. adopt methods and procedures acceptable for  
20 conducting emergency field euthanasia;

21 D. adopt, promulgate and revise rules necessary to  
22 carry out the provisions of the Animal Sheltering Services Act;

23 E. have authority to issue licenses and  
24 certificates pursuant to the Animal Sheltering Services Act;

25 F. establish the types of licenses and certificates

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1 that may be issued pursuant to the Animal Sheltering Services  
2 Act and establish criteria for issuing the licenses and  
3 certificates;

4 G. prescribe standards and approve curricula for  
5 educational programs that will be used to train and prepare  
6 persons for licensure or certification pursuant to the Animal  
7 Sheltering Services Act;

8 H. implement continuing education requirements for  
9 licensees and certificate holders pursuant to the Animal  
10 Sheltering Services Act;

11 I. conduct administrative hearings upon charges  
12 relating to violations of provisions of the Animal Sheltering  
13 Services Act or rules adopted pursuant to that act in  
14 accordance with the Uniform Licensing Act;

15 J. provide for all examinations and for issuance  
16 and renewal of licenses and certificates;

17 K. establish fees not to exceed one hundred fifty  
18 dollars (\$150) for licenses and certificates pursuant to the  
19 Animal Sheltering Services Act;

20 L. establish committees as the board deems  
21 necessary to effect the provisions of the Animal Sheltering  
22 Services Act;

23 M. apply for injunctive relief to enforce the  
24 provisions of the Animal Sheltering Services Act;

25 N. conduct national criminal background checks on

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1 applicants seeking licensure or certification under the Animal  
2 Sheltering Services Act;

3 O. keep a record of all proceedings;

4 P. make an annual report to the governor;

5 Q. provide for the inspection of animal shelters  
6 and euthanasia agencies;

7 R. develop mechanisms to address complaints of  
8 misconduct at animal shelters and euthanasia agencies and  
9 noncompliance with the provisions of the Animal Sheltering  
10 Services Act or rules adopted pursuant to that act;

11 S. develop mechanisms to address complaints of  
12 licensee and certificate holder misconduct and noncompliance;

13 T. develop and implement comprehensive dog and cat  
14 spay and neuter plans and community outreach plans in support  
15 of and in conjunction with animal shelters and euthanasia  
16 agencies;

17 U. disburse money from the animal care and facility  
18 fund;

19 V. provide board-recommended standards for  
20 maintaining records concerning health care and disposition of  
21 animals; and

22 W. refer to national animal control association  
23 standards in determining its regulations.

24 Section 6. EUTHANASIA PROVIDER--LICENSE.--

25 A. The board shall have authority to license

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1 euthanasia providers.

2 B. A person, other than a veterinarian licensed to  
3 practice in New Mexico, who engages in euthanasia for a  
4 euthanasia agency in this state shall be licensed by the board.

5 C. Applicants for licensure by examination as a  
6 euthanasia provider shall be required to pass a euthanasia  
7 provider examination administered by the board and shall be  
8 required to complete a training course approved by the board in  
9 euthanasia practices.

10 D. The board shall adopt rules to provide for  
11 interim placements for euthanasia agencies that have no  
12 permanent employees who are euthanasia providers.

13 E. A person licensed to practice as a euthanasia  
14 provider shall:

15 (1) have passed the examination to qualify as  
16 a euthanasia provider;

17 (2) hold a certificate of completion in a  
18 training course in euthanasia issued within three years of the  
19 date that the euthanasia provider examination is successfully  
20 completed;

21 (3) have attained an age of at least eighteen  
22 years;

23 (4) not be guilty of fraud or deceit in  
24 procuring or attempting to procure a license;

25 (5) pay the required fee to be determined by

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1 the board, but not to exceed fifty dollars (\$50.00); and

2 (6) comply with all other requirements  
3 established by the board.

4 F. The board may issue a license to practice as a  
5 euthanasia provider without examination to an applicant who  
6 meets the qualifications required for euthanasia providers in  
7 this state as set forth in Paragraphs (3) through (6) of  
8 Subsection E of this section. The application for a license as  
9 a euthanasia provider shall be accompanied by proof of  
10 completion of training in euthanasia practices, as approved by  
11 the board.

12 G. A person whose euthanasia provider license  
13 expires while the person is on active duty with a branch of the  
14 armed forces of the United States, called into service or  
15 training with the state militia or in training or education  
16 under the supervision of the United States government prior to  
17 induction into military service may have the license restored  
18 without paying renewal fees, if within two years after the  
19 termination of that service, training or education, except  
20 under conditions other than honorable, the board is furnished  
21 with satisfactory evidence that the person had been engaged in  
22 the service, training or education.

23 Section 7. EUTHANASIA INSTRUCTORS--CERTIFICATION.--

24 A. The board shall have authority over the  
25 certification of euthanasia instructors.

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1           B. A person certified to practice as a euthanasia  
2 instructor shall:

3                   (1) have passed the examination administered  
4 by the board to qualify as a euthanasia instructor;

5                   (2) have completed instructor training in  
6 euthanasia practices, as defined by the board, within one year  
7 preceding the date the application for certification is  
8 submitted;

9                   (3) have participated in the euthanasia of  
10 animals for a minimum of three years preceding the date of  
11 application;

12                   (4) not have been found guilty of fraud or  
13 deceit in procuring or attempting to procure any type of  
14 certification; and

15                   (5) pay the required fee.

16           C. The board may certify an applicant as a  
17 euthanasia instructor without an examination if the applicant  
18 has been certified or licensed under the laws of another state  
19 and the applicant meets the qualifications set forth in  
20 Paragraphs (3) through (5) of Subsection B of this section.  
21 The application for certification shall be accompanied by proof  
22 of completion of instructor training in euthanasia practices,  
23 as approved by the board.

24           D. A person whose euthanasia instructor  
25 certification expires while on active duty with the armed

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1 forces of the United States, called into service or training  
2 with the state militia or in training or education under the  
3 supervision of the United States government prior to induction  
4 into military service may have the certification restored  
5 without paying renewal fees, if within two years after the  
6 termination of that service, training or education, except  
7 under conditions other than honorable, the board is furnished  
8 with satisfactory evidence that the person has been engaged in  
9 such service, training or education.

10 Section 8. EUTHANASIA AGENCIES--INSPECTIONS--  
11 EXEMPTIONS.--

12 A. The board shall have authority over the  
13 licensing of euthanasia agencies. All euthanasia agencies  
14 shall be licensed by the board prior to euthanasia being  
15 performed by that agency.

16 B. The board shall adopt rules governing the  
17 procedures for administering euthanasia.

18 C. The board shall establish rules for inspecting a  
19 facility holding or claiming to hold a license as a euthanasia  
20 agency in this state.

21 D. The board shall establish policies and  
22 procedures for record keeping and for securing, using and  
23 disposing of euthanasia drugs in accordance with requirements  
24 of the Controlled Substances Act, the federal drug enforcement  
25 agency Controlled Substances Act and the rules of the board of

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1 pharmacy.

2 E. Euthanasia agencies using controlled substances  
3 shall have on staff or under contract a supervising  
4 veterinarian and a consulting pharmacist as that position is  
5 defined in the Pharmacy Act.

6 F. A supervising veterinarian is not required to be  
7 on the premises of a euthanasia agency when euthanasia is  
8 performed.

9 G. Nothing in the Animal Sheltering Services Act  
10 shall be construed as allowing a licensed euthanasia provider  
11 or a certified euthanasia instructor to engage in the practice  
12 of veterinary medicine when performing the duties set forth in  
13 that act.

14 H. Nothing in the Animal Sheltering Services Act  
15 shall be construed as preventing a certified euthanasia  
16 instructor from euthanizing animals during a board-approved  
17 course on euthanasia instruction.

18 I. Nothing in the Animal Sheltering Services Act  
19 affects wildlife rehabilitators working under the auspices of  
20 the department of game and fish.

21 J. A veterinary clinic serving as a euthanasia  
22 agency pursuant to a contract with a local government is exempt  
23 from the provisions of the Animal Sheltering Services Act;  
24 provided that the veterinary clinic is subject to licensure and  
25 rules adopted pursuant to the Veterinary Practice Act.

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1 K. A municipal facility that is a zoological park  
2 is exempt from the provisions of the Animal Sheltering Services  
3 Act.

4 Section 9. VIOLATIONS.--

5 A. Unless otherwise provided in the Animal  
6 Sheltering Services Act, it is a violation of that act for a  
7 person to:

8 (1) perform euthanasia for a euthanasia agency  
9 or an animal shelter in this state without possessing a valid  
10 license pursuant to the Animal Sheltering Services Act;

11 (2) solicit, advertise or offer to perform an  
12 act for which licensure or certification is required pursuant  
13 to the Animal Sheltering Services Act, unless the person holds  
14 a license or certification;

15 (3) refuse to comply with a cease and desist  
16 order issued by the board;

17 (4) refuse or fail to comply with the  
18 provisions of the Animal Sheltering Services Act;

19 (5) make a material misstatement in an  
20 application for licensure or certification;

21 (6) intentionally make a material misstatement  
22 to the department during an official investigation;

23 (7) impersonate an official or inspector;

24 (8) refuse or fail to comply with rules  
25 adopted by the board or with a lawful order issued by the

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1 board;

2 (9) aid or abet another in violating  
3 provisions of the Animal Sheltering Services Act, or a rule  
4 adopted by the board;

5 (10) alter or falsify a certificate of  
6 inspection, license or certification issued by the board;

7 (11) fail to carry out the duties of a  
8 euthanasia provider in a professional manner;

9 (12) abuse the use of a chemical substance or  
10 be guilty of habitual or excessive use of intoxicants or drugs;

11 (13) sell or give chemical substances used in  
12 euthanasia procedures to an unlicensed person; and

13 (14) assist an unlicensed or unauthorized  
14 person in euthanizing animals, except during a board-approved  
15 course in euthanasia.

16 B. It is a violation of the Animal Sheltering  
17 Services Act for a euthanasia agency or an animal shelter to:

18 (1) refuse to permit entry or inspection of  
19 its facilities by the board or its designees;

20 (2) sell, offer for sale, barter, exchange or  
21 otherwise transfer animals that are prohibited by the  
22 department of game and fish, the United States department of  
23 agriculture or any other regulatory agency to be kept unless  
24 the sale, offer for sale, bartering, exchanging or transferring  
25 of the animal is to a facility employing permitted

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1 rehabilitators or an individual that is a permitted  
2 rehabilitator pursuant to the rules adopted by the department  
3 of game and fish or another agency that has authority over  
4 people who are permitted to receive and provide care for such  
5 animals;

6 (3) allow a license or certificate issued  
7 pursuant to the Animal Sheltering Services Act to be used by an  
8 unlicensed or uncertified person; or

9 (4) make a misrepresentation or false promise  
10 through advertisements, employees, agents or other mechanisms  
11 in connection with the euthanasia of an animal.

12 C. It is a violation of the Animal Sheltering  
13 Services Act for an employee or official of the board or a  
14 person in the department to disclose or use for that person's  
15 own advantage information derived from reports or records  
16 submitted to the department or the board pursuant to that act.

17 Section 10. ENFORCEMENT AND INJUNCTIONS.--

18 A. The board or the board's designees shall enforce  
19 the provisions of the Animal Sheltering Services Act.

20 B. Whenever the board has reasonable cause to  
21 believe a violation of a provision of the Animal Sheltering  
22 Services Act or a rule adopted pursuant to that act has  
23 occurred that creates a health risk for the animals or the  
24 community and immediate enforcement is deemed necessary, the  
25 board may issue a cease and desist order to require a person to

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1     cease violations. At any time after service of the order to  
2     cease and desist, the person may request a prompt hearing to  
3     determine whether a violation occurred. If a person fails to  
4     comply with a cease and desist order within twenty-four hours,  
5     the board may bring a suit for a temporary restraining order  
6     and for injunctive relief to prevent further violations.

7             C. Whenever the board possesses evidence that  
8     indicates a person has engaged in or intends to engage in an  
9     act or practice constituting a violation of the Animal  
10    Sheltering Services Act or a rule adopted pursuant to that act,  
11    the board may seek temporarily or permanently to restrain or  
12    enjoin the act or practice. The board shall not be required to  
13    post a bond when seeking a temporary or permanent injunction.

14            Section 11. DISCIPLINARY ACTIONS--EUTHANASIA PROVIDERS,  
15    EUTHANASIA AGENCIES AND EUTHANASIA INSTRUCTORS--HEARINGS--  
16    PENALTIES.--

17            A. The provisions of the Uniform Licensing Act  
18    apply to all disciplinary procedures and hearings of the board.

19            B. The board may:

20                    (1) deny, suspend, revoke, reprimand, place on  
21    probation or take other action against a license or certificate  
22    held or applied for pursuant to the Animal Sheltering Services  
23    Act, including imposing an administrative penalty, upon a  
24    finding by the board that the licensee, certificate holder or  
25    applicant has performed acts in violation of the Animal

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1 Sheltering Services Act or a rule adopted pursuant to that act;  
2 and

3 (2) impose an administrative penalty on a  
4 person who makes a false representation as being a licensed  
5 euthanasia provider, a certified euthanasia instructor or a  
6 licensed euthanasia agency.

7 C. The board may issue letters of admonition or  
8 deny, suspend, refuse to renew, restrict or revoke a license or  
9 certification authorized pursuant to the Animal Sheltering  
10 Services Act if the applicant or licensee:

11 (1) has refused or failed to comply with a  
12 provision of the Animal Sheltering Services Act, a rule adopted  
13 pursuant to that act or an order of the board;

14 (2) is guilty of cruelty to animals pursuant  
15 to a statute of this state or another state;

16 (3) has had an equivalent license or  
17 certificate denied, revoked or suspended by an authority;

18 (4) has refused to provide the board with  
19 reasonable, complete and accurate information regarding the  
20 care or euthanasia of animals when requested by the board; or

21 (5) has falsified information requested by the  
22 board or the board's designee.

23 D. In a proceeding held pursuant to this section,  
24 the board may accept as prima facie evidence of grounds for  
25 disciplinary action any disciplinary action taken against a

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1 licensee from another jurisdiction, if the violation that  
2 prompted the disciplinary action in that jurisdiction would be  
3 grounds for disciplinary action pursuant to this section.

4 E. Disciplinary proceedings may be instituted by  
5 the board or by a complaint to the board.

6 F. The board shall not initiate a disciplinary  
7 action more than two years after the date that it receives a  
8 complaint or that it begins an investigation without a filed  
9 complaint.

10 G. The board may administer oaths, take statements  
11 and compel disclosure by the witnesses of all facts known to  
12 them relative to matters under investigation.

13 H. The board may impose an administrative penalty  
14 in an amount not to exceed five hundred dollars (\$500) on a  
15 holder of a license or certificate for violations of the Animal  
16 Sheltering Services Act.

17 I. A person or euthanasia agency whose license or  
18 certificate is suspended or revoked by the board pursuant to  
19 the provisions of this section may, at the discretion of the  
20 board, obtain a license or certificate at any time without  
21 examination upon written application to the board showing cause  
22 to justify reinstatement or renewal of the license or  
23 certificate.

24 J. The board shall adopt other rules pertaining to  
25 hearings, appeals and rehearings as it deems necessary.

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1           K. The board shall not be required to certify a  
2 record to the court of appeals of a decision of the board until  
3 the proper fee has been paid to the board for a copy and  
4 certification of the record.

5           L. A person engaging in acts without a license or  
6 certificate issued by the board is guilty of a misdemeanor.

7           M. A person who practices, offers to practice,  
8 attempts to practice or makes any representation as being a  
9 euthanasia provider, a euthanasia instructor or a licensed  
10 euthanasia agency without holding a license or certificate  
11 issued by the board shall, in addition to any other penalty  
12 provided in this section or any other law, pay an  
13 administrative penalty to the board in an amount not to exceed  
14 five hundred dollars (\$500) for each offense.

15           Section 12. TERMINATION OF AGENCY LIFE--DELAYED REPEAL.--  
16 The animal sheltering services board is terminated on July 1,  
17 2011 pursuant to the Sunset Act. The board shall continue to  
18 operate according to the provisions of the Animal Sheltering  
19 Services Act until July 1, 2012. Effective July 1, 2012, the  
20 Animal Sheltering Services Act is repealed.

21           Section 13. APPROPRIATION.--Two hundred thousand dollars  
22 (\$200,000) is appropriated from the general fund to the  
23 regulation and licensing department for expenditure in fiscal  
24 year 2008 and subsequent fiscal years to carry out the  
25 provisions of the Animal Sheltering Services Act. Any

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1 unexpended or unencumbered balance remaining at the end of a  
2 fiscal year shall not revert to the general fund.

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